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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/876,285	06/07/2001	Jirka Stejskal	G&C 30566.185US01	9546
22462	7590	06/02/2004	EXAMINER	
GATES & COOPER LLP HOWARD HUGHES CENTER 6701 CENTER DRIVE WEST, SUITE 1050 LOS ANGELES, CA 90045			BULLOCK JR, LEWIS ALEXANDER	
			ART UNIT	PAPER NUMBER
			2126	

DATE MAILED: 06/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/876,285	<b>Applicant(s)</b> STEJSKAL ET AL. <span style="float: right;">SK</span>	
	<b>Examiner</b> Lewis A. Bullock, Jr.	<b>Art Unit</b> 2126	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/3/01; 11/12/03</u>   | 6) <input type="checkbox"/> Other: ____.                                    |

## DETAILED ACTION

### *Priority*

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 09/876,285, filed on 7/30/01.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over ARDOIN (U.S. Patent 6,052,691).

As to claim 1, ARDOIN teaches a method for providing access to application data items (application data) of an application program (CAD/CAM application) (col. 2, lines 27-66; col. 5, lines 3-4), the application data items being contained in a plurality of interconnected data objects (COM objects) processed (via a modification) by the application program (CAD/ CAM application) (col. 5, line 27 – col. 6, line 39), the method comprising the steps of: receiving a request (modification of a node) related to at least one of the application data items (nodes), the request referring to a data object of the plurality of data objects (referenced node, i.e. delete this node, etc.), fulfilling the request with respect to the data object referred to by the request (performing the modification), and if the request concerns at least one other data object of the plurality

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of data objects (dependent nodes), forwarding the request to the at least one other data object for further processing of the request (change the dependent node order) (col. 73, line 58 – col. 74, line 35; col. 9, lines 30-58; col. 8, lines 15-64). It would be obvious to one skilled in the art that the CAD program accesses the CAD/CAM application data objects / nodes since the application data are COM objects to the CAD.

As to claim 2, ARDOIN teaches further processing of the request by another data object (dependent node) to which the request (modification) has been forwarded includes the steps of: fulfilling the request with respect to the other data object (dependent node) to which the request has been forwarded, and if the request concerns at least one further data object (dependent node), forwarding the request to the at least one further data object (dependent node) for further processing of the request (col. 73, line 58 – col. 74, line 35; col. 9, lines 30-58; col. 8, lines 15-64).

As to claim 3, ARDOIN teaches the data objects (nodes) are interconnected in a way that, for each data object (node), zero or more data objects (dependent nodes) are associated thereto, and wherein each request (modification) is considered as concerning at least some of the data objects (dependent nodes) associated to the data object (node) referred to by the request (col. 73, line 58 – col. 74, line 35; col. 9, lines 30-58; col. 8, lines 15-64).

As to claims 8-10, ARDOIN teaches wherein the request is a request selected from the group comprising a request for obtaining a collection (determining all related nodes to evaluate to pass to the solver) comprising the names of all application data items accessible via the data object (related nodes to the requested node) referred to by the request and any data objects associated (col. 10, lines 1-39; col. 9, lines 15-64).

As to claims 11-13, ARDOIN teaches the steps of using an evaluator for a data object (nodes); calling the evaluator with an expression (name of the node) comprising at least one name of an application data item contained in the data object (requested node); evaluating the expression using obtained values of the application data items whose names are comprised in the expression; and outputting the result of the evaluation (via evaluating and reordering the nodes) (col. 10, lines 1-39; col. 9, lines 15-64). It would be obvious to one skilled in the art that since the evaluator exist it is created.

As to claims 4 and 5, ARDOIN teaches the data objects (nodes) are interconnected in a way that, for each data object (nodes), zero or more data objects are associated thereto as super-objects (parent nodes), and zero or more data objects are associated thereto as sub-objects (child nodes), and zero or more data objects are associated thereto as related objects (related nodes), and wherein each request (modification) is considered as concerning at least those data objects that are associated to the data object referred to by the request as super-objects (parent nodes)

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and at least those data objects that are associated to the data object referred to by the request as related objects (related nodes) (col. 73, line 58 – col. 74, line 35; col. 9, lines 30-58; col. 8, lines 15-64; col. 6, line 28 – col. 7, line 16; col. 7, line 41 – col. 8, line 8).

As to claims 6 and 7, ARDOIN teaches the request is a request for initialization of the access (copy request) providing functionality processed by an extension object (dependent node) associated with the data object (node), and the step of fulfilling the request for a data object (node) includes the creation of a data provider (cloning a child node) associated with the data object (node) (col. 9, lines 51-58; col. 58, line 37 – col. 59, line 24; col. 60, line 34 – col. 61, line 5).

As to claim 14, ARDOIN teaches the main functionality of the application program (CAD/CAM application) is a functionality selected from the group comprising the graphical displaying of documents reflecting the data objects CAD objects / COM objects) and the textual displaying of documents reflecting the data objects (CAD objects / COM objects) (col. 2, lines 28-66; col. 3, lines 13-30).

As to claims 15 and 16, ARDOIN teaches the application program is a CAD program (CAD program) (col. 2, lines 28-66; col. 3, lines 13-30), and the application data is the data processed by the CAD program (CAD objects / COM objects) (col. 2, lines 28-66; col. 3, lines 13-30; col. 5, lines 3-4; col. 5, line 64 – col. 6, line 28) provided by an auxiliary function (OLE extensions) of the application program.

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As to claims 17-19, reference is made to a computer program product that corresponds to the method of claims 1, 2, and 15 and is therefore met by the rejection of claims 1, 2, and 15 above.

As to claim 20, reference is made to an apparatus that corresponds to the method of claim 1 and is therefore met by the rejection of claim 1 above.

### ***Conclusion***

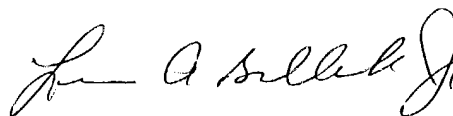
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (703) 305-0439. The examiner can normally be reached on Monday-Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (703) 305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in cursive script, appearing to read "J. A. Sullivan".

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